U u Numb. 1116.

The Daily Courant.

Saturday, November 10. 1705.

London, November 10.

The latter Part of a Letter from a Minister of State to a Friend, in Answer to the Question ' Whether ' the Offices his Majesty the King of Denmark ' causes to be done in Favour of his Highness ' Prince Charles his Brother, with Relation to the ' Coadjutorship of Lubeck, be contrary to the ' Treaty of Travendahl ?

THE former part of this Letter, (which was inserted in Yesterday's Courant,) concluded with this Position, viz. ' That the Agreement pretended ' to be made between the Chapter of Lubeck and ' the House of Holstein Gottorp in 1647, expir'd ' long ago, by the Accomplishment of one of the ' Conditions of it, that fixes the precise Time of its ' Continuance in Force. This the Writer endeavours to make out in the following Manner.

The express Terms of that Condition, are these. ' If (which God prevent,) the Ducal House of Gottorp, the Descendants in the Male Line of the 2 ' foremention'd Princes Brothers, come to fail, so ' that but one Person remain, (N. B.) because an E- ' lection cannot be where but one single Person is ' Candidate ; or if of the 2 Male Lines of those ' Princes Brothers, there shall be no Person either of ' the Lutheran or Catholick Religion ; In these ' Cases (which 'tis hop'd will not happen,) this A- ' greement shall be void and null *ipso jure*, and be of ' no longer Force.

Those Words, Sir, are very clear: The Reason, or Foundation of them, viz. *That an Election cannot be, where but one single Person is Candidate*, is no less clear. If therefore there has been but one single Person of the House of Gottorp, or (which is the same thing) if there has been but one capable of being elected by the Canons, and by the Statutes of the Chapter, the Agreement so much insisted on is null, and expir'd *ipso jure*. Now that Case has already happen'd twice since the Year 1647. The first was, when his Highness the * present Bishop was chosen Coadjutor, in 1656. For at that Time there were indeed 4 Princes of the House of Gottorp living, but none could be Candidates for the Coadjutorship, except the said Bishop only. Duke Frederick, his Father, was excluded by the Statutes of the Chapter, repeated in all the Capitulations of their Bishops, because he was Prince Regent : Duke Christian Albert, his Brother, was the then Bishop, and consequently could not stand for the Coadjutorship : Duke John Augustus, his Cousin, could not be chosen, because he was under Age, and was touch'd in his Brain, of which there was no hopes he could be cur'd, as indeed he never was cur'd. The present Bishop therefore was the single Person capable of being chosen. The same Circumstances continued when this Bishop was remov'd from the Coadjutorship to the Bishoprick, in the Year 1666, upon the Resignation of his Brother Duke Christian Albert, who was become Prince Regent. The second Time this Case happen'd was, when some of the Canons undertook to elect Prince Christian Augustus of Gottorp, for Coadjutor, in the Year 1701 : Besides him and the Bishop himself, there were then only the Prince Regent Frederick, who was excluded for the Reason I mention'd before, and his Son Charles Frederick, who was but 3 Years old, and was sufficiently excluded by Canons that cannot be dispens'd with.

It remains to be prov'd, that the House of Gottorp by their Infractions of the pretended Agreement of the Year 1647, have render'd it void, and left the Chapter of Lubeck at Liberty to act for the future as they think fit. I could give you a long List upon this Article, if I would rake together all that that House has done against the Capitulations of the Bishops, the Observation of which Capitulations is one of the principal Conditions stipulated in that very Agreement ; but I am unwilling to abuse your Patience ; and therefore will give you but one single Example, which outshines the rest, and shews how little Care the Ministers of Gottorp take to keep, or even but to palliate their Infractions of, Treaties : Yet these are the Men, who when the least thing is done contrary to their Liking, cry out of Infractions and Injustice. The express Terms of their pretended Agreement of 1647, run thus. The Chapter has resolv'd, ' That in Case his Highness the Duke will ' be watchful over, and constantly contend for, the ' Preservation of the Jurisdiction, Privileges, and ' Rights of this ancient Chapter and Bishoprick ; and ' will faithfully oppose, and that without claiming ' any Recompence, all Innovations, principally that ' the Chapter be not oblig'd to any Alternative, ' as being contrary to the Freedom of Elections, ' (and to which the Chapter will never consent,) ' then, and in that Case, the Chapter, in Acknowledgement, will take 6 Persons successively of the ' Ducal House of Gottorp, for their Bishops or Coadjutors, by Election or by Postulation, &c.

Do so much, Sir, as compare these Words with those of the 2d. Article of the Act of Gluckstad of the Year 1667, which I quoted above, wherein the Duke of Holstein Gottorp formally promises the King of Denmark, Frederick III of glorious Memory, to use his best Endeavours to procure of the Chapter the said Alternative between the 2 Houses (the Royal and the Ducal ;) and judge whether two things do not naturally result therefrom : One, that the Chapter is discharg'd from their Promise, because the Duke of Gottorp has formally alengag'd to procure the Alternative, contrary to the direct Tenour of the Agreement, wherein 'tis declar'd to be inconsistent with the Freedom of Elections, and in which he obliges himself to contend constantly against it : The other, that his Majesty the King of Denmark is likewise quit of the Obligation of the said Article of Gluckstad ; which was repeated in the Treaty of Travendahl for no other Reason, than because the Ducal House of Gottorp has not hitherto endeavour'd in any Manner to perform that Article on their Part, nor would ever make one Step towards it.

But 'tis Time to conclude. You will please to recollect, Sir, that I have shewn distinctly, That it cannot be prov'd the pretended Agreement of the Year 1647 was ever effectually made : That if it were, it contains an Action unlawful and contrary to the Canons and the Peace of Westphalia ; and consequently that it is null *ipso jure* : That his Imperial Majesty, who is the competent Judge of it, has declar'd it to be so from the Throne of his Justice, in for-

* *This Piece was written before the late Bishop died.*

formal Terms: That by a double Accompliſhment of a Condition that limits the Continuance of that Agreement, it expir'd long ago: And laſtly, That by the Contraventions or Infractions of the Houſe of Gottorp, both the King and the Chapter have acquir'd a Right to retract the ſaid Agreement, and declare it void. From all which it follows, that the *Acquieſcing* promis'd by the King, which is but conſequential to the Agreement of the Year 1647, vaniſhing, upon that Agreement it ſelf ceaſing to ſubſiſt, it cannot be pretended, that his Majeſty the King of Denmark, ſhould diveſt himſelf of the generous Sentiments that Nature and Honour inſpire him with, to abandon the Intereſts of Prince Charles his Brother, and to ſlight the Reſpect which the Major Part of the Chapter of Lubeck, and indeed the ſoundeſt part of them, have for his Royal Family, from which that Chapter has receiv'd as many and greater Benefits than from the Ducal Family of Gottorp: And this purely for the ſake of a Chimera, as is the pretended Agreement, of which the Houſe of Gottorp is not in a Condition of making any Advantage, further than as the Chapter ſhall voluntarily favour them in Elections, in which Caſe his Majeſty the King has nothing to ſay.

Give me leave to add this one Remark, viz. that ſuppoſing the Reaſons I have alledg'd above, to prove that his Majeſty the King has on his part ſatisfied the Treaty of Travendahl and the Article of Gluckſtad, are of no Validity, 'tis nevertheleſs inconteſtable, that his ſaid Majeſty cannot by his Promiſe prejudice the Right of a third Party, as are Prince Charles his Brother and the Chapter of Lubeck; of whom the one is lawfully elected, and the other cannot in any manner be diſturb'd in their Freedom of Election. And therefore the Scruple induſtriouſly rais'd at the Imperial Court, in England, Holland, and in other Courts of Europe, as if in maintaining the juſt Cauſe of his Highneſs Prince Charles of Denmark, the Guaranty of the Treaty of Travendahl, which ſome of thoſe Potentates took upon them, were infring'd, is doubtleſs very ill grounded: And 'tis hop'd thoſe Potentates will at laſt open their Eyes, and have due Regard, both to the Juſtice of the Cauſe, the Friendſhip of his Majeſty and his Royal Houſe, and the good Offices he has done them on ſo many Occaſions. I am, &c.

Extract of the Memorial (mention'd in the Letter,) preſented in May 1701 to his Imperial Majeſty, by the Canons of the Chapter of Lubeck that elected his Highneſs Prince Charles of Denmark.

'*TIS contrary to Truth and Erroneous*, the Information that has been given to your Imperial Majeſty, (in the 5th Place,) that there are Decrees of the general Aſſemblies of the Chapter held in the Year 1666 and 1676, which your Imperial Majeſty might explain, approve, and confirm as a free Election. *For in reality there are no ſuch.* And if by Chance there may be Letters, from whence ſomething might be inferr'd by a farfetch'd Deduction of Conſequences, 'tis certain thoſe Letters are in ſuch Form as renders them null of themſelves, and of no Validity, Obligation, Force, or Effect. *Confirmatio enim ejus quod nullum eſt, nihil operetur. Tis contrary to Truth, and Erroneous*, the Information that has likewiſe been given to your Imperial Majeſty (6thly) *That an Election can in the Nature of it be made, without ſpecifying or nominating a certain Perſon.* And (10thly) 'Tis *contrary to Truth, and Erroneous*, the Information that has alſo been given to your Imperial Majeſty, *That thoſe imaginary Decrees of the Chapter, which never appear'd*, and the Nomination of a Perſon demanded thereupon, as a Demand grounded a pretended Contract and an acquir'd Right, are compatible with the Cannon Law and the Treaty of Peace of Weſtphalia.

Portſmouth, November 8. Yeſterday came in the Jerſey from the Downs and under her Convoy 2 Engliſh and 4 Forreign Ships; all outward bound. This Day came in 2 Dutch Men of War from Holland, having two Dutch Victuallers and ſome Engliſh and Dutch Merchant Ships under their Convoy for Lisbon.

AT the Theatre Royal in Drury-Lane, this preſent Saturday, being the 10th. of November, will be preſented a Comedy, call'd, The Committee: or, The Faithful Irishman: with ſeveral new Entertainments of Singing by Mrs. Tofts, never yet perform'd.

AT the Queen's Theatre in the Hay-Market, this preſent Saturday, being the 10th of November, will be preſented a Play, call'd, Aurenge Zebe: or, The Great Mogul. With ſeveral Entertainments of Dancing by the famous Monſieur de Barques and others, newly arriv'd from France.

Theſe Plays are Sold by J. Knapton at the Crown in St. Paul's Church-yard, and B. Lintott Next Nando's Coffee-Houſe, Temple-Bar.

The Caſe of the Traders of London, as it now ſtands, ſince the Copartnerſhip of the Wharfingers, wherein are the Clauſe in the Act of Parliament that directs the Rates of Warfage to be ſettl'd; the Rates propos'd by the Merchants, by the Eaſtland Company, and by all the then Wharfingers in order to the ſaid Settlement, with the Proceedings thereon. Printed for S. Crouch, at the corner of Popes-Head-Alley in Cornhill.

The Sale of the Goods, late of Sam. Harriſon is continued at his late Dwelling-houſe in Throgmorton-ſtreet, conſiſting of Huckabacks broad and narrow, Muſlins, Woollen Hoſe, and Ruſſia Yarn.

The Anniverſary Feaſt of the Gentlemen Educated at Merchant Taylor's School, will be held on Thurſday the 29th of this Inſtant November at Cloathworker's Hall in Mincing-Lane: Tickets may be had at Mr. Walfords, Bookſeller in St. Paul's Church-yard, Mr. Johnſon Hoſier in Fleet-ſtreet, Oliver's Coffee-houſe adjoyning to Weſtminſter-hall, Will's Coffee-houſe near the Royal Exchange, and Mr. Barnardiſtons the Horn Tavern at Doctor's Commons.

The Annual Feaſt for the County of Southampton, will be held at Stationer's Hall near Ludgate, on Tueſday the 4th of December next. Tickets are to be had of Mr. Walter, Fiſhmonger in Clare-Market; Mr. Douce, Surgeon, at Bricklayer's Hall, Leadenhall-ſtreet; Mr. Barrett, at the Red Lion and Green Dragon in High-Holborn; Mr. Lee, at the Crown Tavern againſt St. Dunſtan's Church in Fleet-ſtreet; Mr. North, at the Spread-Eagle in Chancery-lane; Mr. Ridge, at the George in Lothbury; Mr. Noſs, Poulterer, in Honey-lane Market; Mr. Weſt, Haberdaſher of Hats in Henrietta-ſtreet, Covent-Garden; at the Hampſhire Club, at the Founder's Arms in Founder's Court, Lothbury.

In a few Days will be publiſh'd,

Les Delices de l'Italie: or, An exact Deſcription of Italy, and all the principal Cities and Towns thereof: Together with an Account of all the moſt curious Rarities to be obſerv'd therein, by the Sieur de Rogiſſart. Inricht with many curious Cutts deſigned from the French. Printed for Tho. Horne, at the South Entrance of the Royal Exchange.

On Thurſday next will be publiſh'd the following Almanacks for the Year 1706, viz. Andrews, Chapman, Coley, Dove, Gadbury, Ladies Diary, Moor, Partridge, Pond, Poor Robin, Salmon, Saunders, Tanner, Wing, Colepeper, Dade, Fly, Fowl, Perkins, Roſe, Swallow, Trigge, Turner, White, Woodhouſe. To be ſold either Bound or Stitcht by Benj. Harris at the Golden Boar's Head in Grace-church-ſtreet at Reaſonable Rates; Wholeſale or Retale. ☞ Note, the Bound Partridge's ſold by him, will have in them a Liſt of the preſent Parliament.

On Monday will be publiſh'd,

Advices from Parnaſſus, in 2 Centuries. With the Political Touchſtone, and an Appendix to it. Written by Trajano Boccalini, to which is added, A continuation of the Advices, by Girolamo Briani of Modena. All Tranſlated from the Italian by ſeveral Hands. Revis'd and Corrected by Mr. Hughes. With an Alphabetical Table to the whole Book. Printed for D. Brown without Temple-bar, B. Took, and B. Lintott in Fleet-ſtreet, A. Bell and J. Round in Cornhil, D. Midwinter in St. Paul's Church-yard, and J. Barnes in the Palmal.

The Angelical Tincture for Coughs, &c. which overcomes the moſt grounded Coughs (tho' of 20 Years ſtanding) in a Minute, and perfectly cures them in a few Days, as hath been happily experienced by many Hundreds of Perſons in both City and Country. 'Tis found to be a moſt ſure Help for Coughs of all Sorts, whether moiſt or dry, Phthiſical or Conſumptive, Hoars, Choaking, Chinking, and Aſthmatical Coughs, great Colds, and all other Diſeaſes of the Breaſt and Lungs; reſtoring even thoſe given over by Phyſitians, after tryal of the greateſt Specificks, and approved Method of the moſt celebrated Authors. It is a Medicine which exceeds all Credit, and cannot be ſufficiently commended, wherefore eſteem it as a Jewel. Sold only at John's Coffee-Houſe in Swithins Alley by the Royal Exchange, and at the 7 Stars under St. Dunſtans Church in Fleet-ſtreet. Price 2s. a Bottle. Beware of that Abſurd Counterfeit, call'd, The ineſtimable Tincture for Coughs, inſerted in the 2 laſt Papers of the General Remark on Trade.

Miſcellanea Sacra: or, A curious Collection of Poems, chiefly Original, upon Divine and Moral Subjects, by the moſt celebrated Modern Authors. Vol. II. Collected by Sam. Phillips, Gent. late of St. John's College, Oxon. Non eſt Mortale quod opto. Printed for Tho. Hodgſon, over againſt Grays-Inn Gate in Holbourn 1705, and ſold by B. Bragge in Ave-Mary-Lane. Price 1s.

LONDON: Printed, and Sold by *Sam. Buckley* at the *Dolphin* in *Little-Britain*.